



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,785	09/27/2005	Martin Habel	HABEL, M. ET AL- 1 PCT	1820
25889	7590	01/30/2007	EXAMINER	
WILLIAM COLLARD COLLARD & ROE, P.C. 1077 NORTHERN BOULEVARD ROSLYN, NY 11576			ESTRADA, ANGEL R	
			ART UNIT	PAPER NUMBER
			2831	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/30/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/550,785

Applicant(s)

HABEL ET AL.

Examiner

Angel R. Estrada

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2,3 and 5-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2,3 and 5-29 is/are allowed.
- 6) ☒ Claim(s) 30-34 and 40-43 is/are rejected.
- 7) ☒ Claim(s) 35-39 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Objections*

1. Claim 30 is objected to because of the following informalities:

Claim 30 lines 7-8, "the side walls of the frame openings", lacks antecedent basis. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 30-34 and 40-43 are rejected under 35 U.S.C. 102(b) as being anticipated by Dean (US 3,857,136).

Regarding claim 30, Dean discloses a bush (10) comprising an elastomeric material (column 2 lines 67-68), at least one passage for a cable (column 2 lines 59-66) and two catch organs (32) that project beyond the bush surface towards opposite sides (see figure 3), which can engage into catch depressions in a side walls of the frame openings.

Note: the recitation "*for a cable lead-through device having a retaining frame provided with frame openings*" has not been given patentable weight because it has been held that a preamble is denied the effect of a limitation where the claim is drawn to a structure and the portion of the claim following the preamble is a self-contained description of the structure not depending for completeness upon the introductory clause. *Kropa v. Robie*, 88 USPQ 478 (CCPA 1951).

Regarding claim 31, Dean discloses the bush (10) wherein the catch organs (32) are at least partially embedded in the bush elastomeric material.

Regarding claim 32, Dean discloses the bush (10) wherein the catch organs (32) are configured to be bendably elastic.

Regarding claim 33, Dean discloses the bush (10) wherein the catch organs (32) comprise a rigid or rigid elastic components (column 2 lines 67-68) embedded in the bush materially made of plastic or metal (see figure 2).

Regarding claim 34, Dean discloses the bush (10) wherein a cavity (30) is formed within the elastomeric material, into which a catch organs (32) can be bent during engagement (see figure 2).

Regarding claim 40, Dean discloses the bush (10) wherein each catch organ (32) has a spring stay with a free end and a catch cam molded onto the free end of the spring stay (see figure 2), said spring stay being oriented parallel to two opposite side walls and bendable into a cavity (30) in the elastomeric material (see figure 2).

Regarding claim 41, Dean discloses the bush (10) wherein the catch organs (32) are embedded in the elastomeric material as components that are separate from one another (see figures 2-4).

Regarding claim 42, Dean discloses the bush (10) wherein the catch organs (32) are connected with one another by way of a connecting stay (28) that penetrates or surrounds the bush (see figure 2).

Regarding claim 43, Dean discloses the bush (10) wherein each catch organ (32) has a catch cam (see figure 2) comprising a run-up incline and a catch surface that follows the run-up incline by way of a catch edge (see figure 2).

***Allowable Subject Matter***

3. Claims 2, 3, 5-29 and 44 are allowed.

Claims 35-39 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance: The primary reasons for the indication of the allowability of claims 44, 2, 3, 5-29 and 35-39 are:

Regarding claims 44, 2, 3 and 5-29, the prior art does not teach or fairly suggest in combination with the other claimed limitations a device for covering and sealing a hole provided for leading cables through a wall; wherein each side wall comprises a catch depression for accommodating catch organs projecting laterally partially above the bush surface.

Regarding claims 35-37, the prior art does not teach or fairly suggest in combination with the other claimed limitations a bush comprising two bush halves that face one another on the side of the passage opening and mutually complement one another with mirror symmetry, which have a catch organs or a catch depression on sides facing away from one another, in each instance.

Regarding claims 38 and 39, the prior art does not teach or fairly suggest in combination with the other claimed limitations a bush wherein the passage opening is disposed outside the center, forming two wall parts of unequal thickness.

These limitations were found in claims 44, 2, 3, 5-29 and 35-39, and are neither disclosed nor taught by the prior art of record, alone or in combination.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 30-34 and 40-43 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. Any inquiry concerning this communication should be directed to Angel R. Estrada at telephone number (571) 272-1973. The Examiner can normally be reached on Monday-Friday (8:30 -5:00).

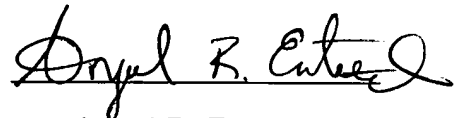
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 Ext: 31. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Art Unit: 2831

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

January 10, 2007

A handwritten signature in black ink, appearing to read "Angel R. Estrada", with a stylized flourish at the end.

Angel R. Estrada  
Primary Examiner  
Art Unit: 2831